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EXAMINER

VAUGHAN, MICHAEL R

ART UNIT

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### ***Response to Arguments***

Applicant's arguments filed 6/29/10 have been fully considered but they are not persuasive. The following interpretation of the prior art is solely based on the current set of claims and arguments submitted by the Applicant. It is not the only possible interpretation of the prior art and may be altered when/if the claims and/or arguments change.

Applicant alleges that the combination of Watanabe and Yamaguchi fail to teach storing an encrypted version of said authentic biometric signature on said piece of equipment and transmitting, from said piece of equipment, said encrypted biometric signature to an authentication medium. Examiner respectfully disagrees. First of all Watanabe's IDC is analogous to the claim's encrypted version of the authentic biometric signature. Watanabe discloses many embodiments of securing access to a piece of equipment (UD). As pointed out by Applicant, Watanabe teaches storing an encrypted version of said authentic biometric signature on said piece of equipment [IDC is stored in the UD; Fig. 24]. This embodiment has the UD performed the authentication. Also as pointed out by Applicant, Watanabe teaches transmitting, said encrypted biometric signature to an authentication medium [as the IDC is stored in the IC card; Fig. 27]. This embodiment shows the IC card containing the IDC performing the authentication. Both the sampling information acquisition apparatus and the IC are each operatively

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connected to the user device (see Fig. 27). Thus it could be shown during registration that the biometric sample acquired at the sampling apparatus is transmitted to the UD and then from the UD into the IC where it is stored. This reads on transmitting from said piece of equipment the encrypted biometric signature to the authentication medium.

Therefore, it can be shown that all of the limitations of claim 16 are taught by Watanabe.

What Watanabe lacks however, is a single embodiment containing all of the steps required by claim 16. Yamaguchi was introduced to show why it would have been obvious to one of ordinary skill in the art to try the combination of steps in claim 16.

Yamaguchi teaches that IC cards have limited memory and that all of the user templates can be stored in a computer. Knowing this fact, it would have been obvious to combine the two embodiments of Watanabe. In other words, storing the encrypted biometric signatures on the computer and having the IC card perform the authentication on a potential user would have been obvious to try in view of the teachings of Yamaguchi.

Another reason why claim 16 is unpatentable over Watanabe and Yamaguchi is that the term authentication medium does not necessarily require an IC card. Therefore the limitation of “storing an encrypted version of said authentic biometric signature on said piece of equipment and transmitting, from said piece of equipment, said encrypted biometric signature to an authentication medium” could be interpreted as sending the IDC to the SP as shown in Fig. 28. All that is required by the authentication medium in claim 16 is that it is separate from the piece of equipment and that it verifies the biometric signature. The user device is analogous to the piece of equipment and the

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authentication medium is the service provider. This is clearly shown in Fig. 28. For these entirely separate reasons the rejection must be maintained.

/M. R. V./

Examiner, Art Unit 2431